ANNUAL REPORT

OF THE

ATTORNEY GENERAL

OF THE

STATE OF MICHIGAN,

FOR THE YEAR 1866.

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BY AUTHORITY.

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1866.

REPORT.

ATTORNEY GENERAL'S OFFICE,
Lansing, Dec. 31, 1866.

To the Honorable, the Legislature of the State of Michigan:

In compliance with the requirements of statute, I have the honor to submit my Annual Report, for the year A. D. 1866.

At the last April term of the Supreme Court, I appeared and argued, on the part of the defendants in error, the case of Daniel G. Grimm, plaintiff in error, against the People, defendants in error. I was assisted on the argument by E. M. Crofoot, Esq., Prosecuting Attorney of the county of Oakland. In this case, an information was filed in the Circuit Court for the county named, charging Daniel G. Grimm, (the plaintiff in error,) John Clarke, Jack Brady, James Johnson and George McManus with the crime of burglary. Grimm elected to be, and was tried separately, the trial resulting in his conviction. On this trial, said John Clarke, not being on trial, was offered first as a witness, and next to make a statement for Grimm. Objection being made to such offers, at the time of making the same, Clarke, by the ruling of the Court, was not allowed to so testify, or make the proposed statement. Also the record showed, that the trial commenced on the 17th day of January last, and continued from day to day, and ended on the 20th day of the same month, Grimm being present, as shown by the record, on the first and last days of the trial, but the record failed to show his presence between those days, which failure was alleged as error, as were also the above mentioned rulings of the Court. There were no other questions in the case. The Supreme Court held, in substance, that said Clarke, being a co-defendant, though not on trial at the time, was not entitled to testify as a

witness, or make a statement for Grimm, the common law not being changed by the act of 1861, as to the incompetency of a co-defendant, in a criminal case, to be a witness in favor of one jointly charged with him, but only so as to allow the party on trial to make a "statement" in his own behalf; and that the record, showing that Grimm was present on the first day of the trial, an allegation of continuances indicates that it was with the incidents before described or mentioned in the record, of which the presence of the prisoner was one. Hence, the judgment of the Court below, was affirmed.

At the same term of the Supreme Court, I also appeared and argued on the part of the People, the case of James B. Townsend, plaintiff in error, against the People, defendents in error. The material facts in this case, as disclosed by the record, are subtantially as follows: one Peter Bowen was indicted for perjury in the Circuit Court for the county of Ontonagon, at the June term thereof, 1864. Bowen being arraigned upon the indictment, pleaded thereto, not guilty, and the case was continued to the next September term of the Court, the accused duly entering into a recognizance, before the Court, for his appearance at the term last named. August 2d, 1864, Bowen entered into a second recognizance, before the Circuit Court Commissioner of said County, for the same purpose. The record showed no reason for the taking of the second recognizance. At the said September term of the Court, Bowen appeared for trial, when, on his motion, the case was continued to the next June term of the Court, no order being made for the renewal of the recognizance. On the day following this second continuance, Bowen was called in Court and defaulted on the second recognizance, and at the June term of the Court, 1865, judgment was rendered against him and his sureties, said Townsend being one of such sureties. In this case, the Supreme Court held, that the record, failing to show any cause for taking the second recognizance, the first remained in full force, and was not superseded by the latter; that the second recognizance was therefore void; that the Court having ordered the case contin-

ued to the next term, without requiring the recognizance to be renewed, there could not afterwards be a default for failure to attend further at that term; and also that where a Circuit Court Commissioner acts upon cause, the facts constituting the foundation of such action, should appear in order to show that he had jurisdiction, in the absence of which showing, the taking of a recognizance is without authority and the instrument void; and, hence, the judgment below must be set aside.

The case of Benjamin T. Rogers, plaintiff in error, against the People, defendants in error, was, by me, duly submitted, on the part of the People, at the same term of the Supreme Court Rogers being one of the sureties of Bowen, referred to in the next preceding case, and judgment having been rendered against him, as well as against the said James B. Townsend, the questions in the case were the same, and a like judgment was rendered therein.

At the same term of the Supreme Court, I also appeared and argued, on the part of the people, the case of the people, defendants in error, against William Dean, plaintiff in error. This case was one of unusual interest and importance, and its argument, on both sides, was designed to be at least thorough. It appeared that said William Dean had been tried in the Circuit Court for the county of Wayne, upon an information charging him with the offense of illegal voting, at an election held in one of the townships of said county, on the sixth day of April, 1865. Testimony was introduced on the part of the people, tending to show that he possessed some negro or African blood—Dr. Zina Pitcher, a physician and surgeon, who had practiced as such for forty-three years, testifying that he was acquainted with the races of men, and had examined the accused, and giving it as his professional opinion, "that he should think the prisoner had one-sixteenth African blood in his veins." There was testimony of other witnesses, not experts, who testified on the part of the prosecution, to the same effect. There was testimony introduced on the part of the accused, tending to show that he was a civilized male inhabitant of this State, of Indian descent,

and that there was no negro or African blood in his veins. That he was a native of the United States, and not a member of any Indian tribe, was not, on the trial, disputed. Upon such evidence, the Court below charged the jury that, although the said Dean might possess all the other qualifications of an elector, yet if they believed from said evidence, that he had a portion of negro or African blood equal to one-sixteenth, as testified to by Dr. Pitcher, he was not a white man and a legal elector, within the meaning of the State Constitution, and was not entitled to vote. And if he knowingly and willfully voted at said election, knowing that he was not a white man, he should be convicted. And the said Court further charged the jury, that if they believed, from the evidence, that said defendant possessed all the other qualifications of an elector, except being a white man, nevertheless if they believed from the evidence, that he was a person of Indian descent, possessing, however, a distinct and recognizable trace of negro or African blood, amounting to one-sixteenth, as testified by Dr. Pitcher, he was not a white man, within the meaning of the Constitution, and was not entitled to vote as a person of "Indian descent," under the Constitution. To which charges, so made, counsel for the said Dean, on his behalf, duly excepted. Under this charge and the evidence, said Dean, by the jury, was found guilty. No question was raised, in this case, on the argument before the Supreme Court, except as to the correctness of the foregoing charge, touching the meaning of Sec. 1, Art. VII, of the Constitution of this State, so far as it is applicable to the great question in this case. In disposing of it, the Court held, by a majority decision, that all persons in whom white blood so far predominates that they have less than one-fourth of African blood, are *white* within the meaning of that clause of the Constitution of Michigan which limits the elective franchise to "white male citizens," and no other persons of African descent can be so regarded. The Chief Justice, differing from the above mentioned majority decision, was of the opinion that a preponderance of white blood was sufficient to bring one within the meaning of said words

"white male citizen," their object in the Constitution being only to disfranchise males who have half, or more, of negro or African blood in their veins. The judgment below was, therefore, reversed.

In my Annual Report for 1865, on pages 10 and 11, mention is made of the case of Thomas Ryan, complainant, against George W. Brown, Wall W. Williams and Ezra T. Williams, defendants, then and now pending in the Circuit Court for the county of Chippewa, in Chancery, and to which I respectfully invite your attention. In the month of May last, I went to Saut Ste. Marie, the county seat of Chippewa county, for the purpose of attending to taking the testimony in this case, on the part of the defendants, and preparing it for a final hearing, before the court, at its last August term. This being done, the case was, at the term last named, by stipulation, duly submitted to the court, upon briefs. Owing to its importance, the volume of testimony, the grave questions of law and of fact involved, and the convenience of the defeated party, whether complainant or defendants, should such party desire to take an appeal, the case will probably not be decided till an early day after the upper lake and river navigation shall have opened next year.

On pages 6 and 7, of my Annual Report for last year, mention is made of the case of Sarah J. Cashman, complainant, against Edward J. Underwood, administrator of the estate of John Cashman, deceased, defendant, then and still pending in the Circuit Court for the county of Calhoun, in Chancery, and to which mention your attention is respectfully asked. At an early day in this year, this case was turned over to the Prosecuting Attorney of said county, not only because the statute (compiled laws, Sec. 393,) is, that "the prosecuting attorneys shall, in their respective counties, appear for the State or county, and prosecute or defend in all courts of the county, all prosecutions, suits, applications and motions, whether civil or criminal, in which the State or county may be a party or interested," the Attorney General only being thus obligated (compiled laws, Sec. 180,) "when requested by the Governor, or either branch

of the Legislature," and I having received no such request from either of them, but because the duties of the office of Attorney General are so numerous, important and arduous as to require, in their discharge, quite or nearly his entire time and attention, thereby not admitting, without great prejudice to them, of his bestowing much, if any, upon those not required of him by law. Indeed, my own experience has conclusively demonstrated to my mind, that the faithful and effective performance of the duties of *the office*, demand a close observance of the rule or course adopted by me in this case. And, in this connection, it perhaps may not be amiss for me to say, as I think I safely can, that no other State officer is called upon to do more, if as much, not constituting a part of his official duties, as the Attorney General. Judging from the number and character of the demands made upon him, because he is such officer, he is emphatically not only the attorney of the people collectively, but individually also, and unofficially as well as officially. No day passes, more or less of the incidents of which do not forcibly remind him of the truth of these remarks. That in these regards, it will be different in the future from what it has been in the past, I do not hope, or even expect. And I make these remarks, not at all in the spirit of complaint, but to indicate the cares of the office, and because it is believed that these considerations may be deemed worthy of some weight in the judgment of the Convention which shall come next year to revise our State Constitution, and in fixing a salary more in proportion to the duties, labors and importance of the office.

Mention is also made on page 18, of my Annual Report for last year, of the case of the State, complainant, against Dewey, Hazelton, *et. al.*, defendants, still pending in the Circuit Court for the County of Genesee, in Chancery; and to which your notice is likewise called. For the reasons there stated, which have applied with equal force throughout the present year, as also for those given in the above mentioned Cashman case, so to call it, this case, early last summer, was put into the

charge of the Prosecuting Attorney of Genesee County, who still has control of it.

On page 14, of my Annual Report for last year, the case of Edmund H. Hazelton, *et. al.*, for the use and benefit of the State, against the Flint and Pere Marquette Railway Company, is mentioned; and to which I respectfully invite your attention. On the 20th day of September, 1865, as there stated, the sum of $5,400 59 was paid to the State on the judgment rendered in this case; and on the 19th day of September last, the further sum of $6,000 was thus paid. The confidence expressed in my Report of 1865, as to the payment of this judgment, has not in the least been shaken, but strengthened; and it is pleasing to be able to assure you, that I regard this claim of the State as perfectly safe, and that the balance due upon the judgment will no doubt be paid before the close of next year.

At the last October term of the Supreme Court, I appeared and argued, on the part of the people, the case of Woodward and Rich, impleaded with Hughes, plaintiffs in error, against the People, defendants in error. From the record certified to the above named Court, from the Circuit Court for the county of Oakland, it appeared that the plaintiffs in error, at the last March term of the Court below, impleaded as aforesaid, were tried and convicted, under the provisions of Sec. 5724, Compiled Laws, of an assault with intent to commit the crime of murder; and that the information upon which this trial was had, charged that the respondents, at the time and place therein mentioned, "with force and arms, in and upon one Charles Parsons, then and there being, did make an assault, and him, the said Charles Parsons, then and there did beat, wound and bruise, with intent, him, the said Charles Parsons, then and there to kill and murder, and other injuries to him, the said Charles Parsons, then and there did, contrary to the form of the statute," &c. The record further showed, that the information was verified before "J. D. Bateman, Clerk"—no demurrer being filed, or motion made to quash the information before the jury were sworn, or at any time thereafter, for or on account of any al-

leged formal defect apparent on the face of the information, or its verification. On the argument before the Supreme Court, and in pursuance of the errors assigned upon the said record, it was claimed by the plaintiffs in error, that the information was fatally defective; because, *first*, no name was signed to the jurat, it being insisted, under certain election cases in this State, that where only the initials of the Christian name are given, it is no name; the Court holding, on this assignment of errer, that those decisions would not be extended to embrace other cases, and that the signing of the jurat was sufficient; and, *second*, that the information did not charge the assault to have been committed "feloniously, willfully and of malice aforethought;" the court holding, on this objection, that under our statute these words were not necessary to the information, but that the offense being a statutory one, was sufficiently charged in the words of the statute. Every essential word contained in said section 5724, which prescribes the punishment of said offense, being used and appearing in the information, the judgment of the Court below was, therefore, affirmed.

In my Annual Report for last year, on pages 8 and 9, will be found a statement of the case of Aaron Lang, Moses Lang and John S. Crellin, plaintiffs in error, against the people, defendants in error, argued by me, on the part of the People, before the Supreme Court at the October term thereof, 1865, and to which statement I respectfully invite your attention. This case was not disposed of by the court named, till the last July term thereof. Upon the question presented for adjudication, by the record in this case, to-wit: "Whether the statute of 1861, p. 136, permitting the entering up of judgments summarily, and without suit or notice, upon a criminal recognizance, two days after forfeiture is entered of record, unless cause to the contrary be shown, by the recognizors, is constitutional?" the court were equally divided. In view of this result, I respectfully submit, that it would, perhaps, be advisable to so amend the said act of 1861, as to require, before and as a foundation for the rendition of judgments in such cases, that the recognizors be served

with notice, by some process or otherwise, as shall be prescribed, of the time and place, when and where judgment will be rendered against them, according to the tenor and effect of the recognizance therein mentioned, they then and there failing to show good cause to the contrary. Such an amendment, called for as it now seems to be, would, I apprehend, relieve the Supreme Court of the embarrassment incident to the difference of opinion referred to, and still retain, in the hands of the public authorities, a remedy which would be sufficiently ample, simple and summary for all the purposes of justice in such cases.

The four suits mentioned in my last Annual Report on pages 17 and 18, being one in the Circuit Court for the county of Tuscola, in Chancery; two in the same court for the county of Bay, and one in the same court for the county of Wayne, are still pending. My impressions there expressed of them, by further examination and consideration, have been strengthened; and, hence, there has not been that anxiety for a disposition of them, that otherwise would have been.

During the year, five statements, each embracing a proposed charter for an insurance company, to be organized under Act No. 262, p. 1079, of the Laws of 1859, of this State, have been presented to, examined and certified by me, as contemplated by this Act. At least an equal number of such companies, in the same period, have laid before me proposed amendments to their charters, which also have been examined and certified by me, as required by law. The observations of this year, of the operations of many of these companies, induce me to repeat, with emphasis, all I said concerning them in my Annual Reports of 1864 and 1865; and to which I respectfully solicit your attention. The solvency and business management of these companies cannot be too carefully and thoroughly scrutinized by all who are solicited to insure in, or become members of them. A neglect in this regard, may be attended with a loss of the benefits which should flow from a policy of insurance. The exercise of caution and deliberation in procuring an insurance, or selecting a company therefor, will be found, when the prop-

erty insured has turned to ashes, to have been most wisely expended. I cannot, therefore, but earnestly commend such prudence to the good judgment of all who would realize relief from such sources, when adversity from fire falls upon them.

The official correspondence of the office during the year, as heretofore, has demanded much time and attention. Every day has brought more or less communications, each of which required an expenditure of labor. Generally they related to matters of public concern; and of the opinions solicited and given, no one now occurs to me which I would wish to either change or modify.

Among the opinions solicited this year, however, there is no one which has been called for as frequently or more anxiously, than the one that appears as the Appendix of this Report. Indeed, so general and earnest has been the desire for information in relation to the rights and duties of all classes of persons therein referred to, as effected by Congressional Legislation and the proclamation of the President, whether they be such disfranchised persons, inspectors of elections or persons only anxious to preserve the purity of the ballot-box, that I have felt it incumbent upon me, in no small degree, to give it a place in this Report; and, therefore, herewith respectfully submit it, for the purpose indicated, having taken the liberty, not to change or modify its positions or conclusions, but simply to somewhat revise it.

At an early day, blanks were furnished to all the Prosecuting Attorneys in the State, to be used by them in making their Annual Reports, as required by law. I transmit herewith, an abstract of such Reports as they have made and filed in my office. From an inspection of them, it will be observed that crime has increased in the State, since my last Annual Report was made. No additional legislation, however, occurs to me, that could have prevented this result. Nothing but a more certain and rigid enforcement of our Statutes for the suppression of crime and vice, and particularly the liquor law, so called, could have prevented the increase. Intemperance, the mother

of that repulsive bevy—idleness, extravagance, indigence, immorality and crime—by a faithful and general enforcement of the above mentioned law, would be greatly diminished, if not almost removed from among us. Thereby thousands would be clothed in right minds; many restored to the walks of honest industry; confidence increased between members of community; the peace of society augmented; the health and vigor of public sentiment improved; the rights of person and of property made more secure, and the public burden or taxes greatly diminished. Called for by so many important considerations, the enforcement of the law named, cannot be too earnestly invoked.

Finally, in closing this, my fourth and last Annual Report, it perhaps may not be amiss, in me, to briefly speak of the workings of Act No. 138, p. 391, of the Laws of 1859, of this State, frequently called "the information Act." By this Act, as you are well aware, the presentation of a bill of indictment by a grand jury, is no longer required in the Courts of this State, as a jurisdictional condition or foundation for the trial of persons charged with any felony or infamous crime known to our laws. As provided by the Act referred to, both a grand jury and bill of indictment may, unless such jury be directed by the order of the Circuit Judge, be entirely omitted, and instead thereof an information be filed in the Circuit Court, by the Prosecuting Attorney, duly verified, charging the supposed guilty party with the offense for which he is to be tried. *A change* so great and radical, entirely laying aside, except when directed as aforesaid, a time-honored feature of our criminal law, brought to this country, as it was, by its earliest settlers, and carefully nurtured by them and their descendants, even unto our day and generation, might well be regarded, at first, with fearful apprehensions. So familiar had we become with the grand jury system, having seen no one tried in our Courts for such offenses, without its intervention, and performing its allotted part, and so venerable was it in its every feature, that we seemed to have forgotten the causes which called it into

existence, and come to regard it as something too sacred for the touch of the hand of reform. Some of the wisest, best and most sagacious among us, received the proposition for the abolishment of the grand jury system, with astonishment, and as though it were one of a deep and broad conspiracy against the very best and most vital principles which underlay our Republican fabric. Yet, every person, who had had any considerable experience as a public prosecutor, before grand juries, well knew that their proceedings frequently degenerated into a mere farce, or those at least that really were worthy of no respect or consideration. Instead of continuing to be a palladium for the rights of the people—standing between them and oppression, as designed by those who exacted it from the hand of tyranny—it had really become, at times, and not unfrequently was, an irresponsible engine of mischief and injustice, moved by some unseen, cowardly and cruel hand, in the malicious prosecution of innocent men. In certain conditions of society, this system is of moment to the people, indeed, invaluable in preserving their rights of life, liberty, property and the pursuit of happiness; but, in a commonwealth like ours, it can truly be said, it had long out-lived its usefulness, and should have been sepulchred with bills of attainder, *ex-post facto* laws, titles of nobility, wager of law, wager of battle, and the whole host of antiquated proceedings and practices, whether known to the common law or not, many of which were, perhaps, well enough in their time and condition of society, but now and to us are worthless, having long since been consigned to disuse and forgetfulness. Under a government like ours—one made up of such a constellation of free institutions, as it is, and which are the very outgrowth of the Christian religion, and where all governmental power and authority are lodged in the hands of the people, and they, at short periods, make and unmake their public functionaries, as they will—a tribunal that sits in dark and secret places, carefully avoiding sight, with its proceedings wrapped in mystery, and holding an inquisition upon whomsoever it will, and with but one ear hears accusations, and then,

in mock and ignorant solemnity, judicially declares men "felons," without notice or opportunity to them to be heard in anywise in self defense, is truly not in harmony with the spirit or genius of our governmental system, or the age; and should be entirely and forever thrust aside. An arrest on a warrant issued by, and an examination had before a Justice of the Peace, the Justice finding from the testimony elicited on the examination, that the crime alleged has been committed, and that there is probable cause to believe the accused guilty thereof; certifying such testimony, finding and all papers connected therewith, to the proper Circuit Court; this testimony, finding and papers there becoming the foundation for the Prosecuting Attorney to make and file, in that Court, an information upon, for the same offense and no other, and upon which information the accused is arraigned and tried, in all respects, as upon a bill of indictment, the prisoner at each step of the proceedings, having an opportunity aided by witness and counsel if desired, to fully defend himself—I submit, that with *such* a system for the trial of persons charged with felonies, none but the guilty need be alarmed; and surely it may well command the good judgment and approbation of all. And the best evidence, to my mind, of its wisdom, justice, impartiality and economy, is that, in this State, grand juries, of late, have very, *very* seldom been called; and that during the two years I was Prosecuting Attorney of my own County, and the four years next thereafter, that I had the honor of being the Attorney General of the State, no complaint came to me, or so far as I know or believe, any where existed, on the part of any one, of the abuse of this information system. A great saving of expense to the public; open and ingenious; working always in the very sight of the accused and the people; characterized by no obscure or unfair proceeding; attended with no unusual or unnecessary delay, and allowing the largest liberty, at each step, for complete defense or extenuation on the part of the accused, it is now impossible, tested as it has been by almost eight years experience, and with the result above stated, to do otherwise than to insist that it is no longer an

experiment; but one of the fixed, wisest and best features of our criminal law; and as such, to heartily, confidently and proudly commend it to all anxious inquirers after judicial reform. Carefully framed as this act was, to accomplish so great and valuable an end, it will, as it should, become a proud monument of the wisdom and foresight which characterizes the ever early and unmistaken march of the inteligent and enterprising people of our fair Peninsula, to the very front of improvement and civilization. Frequently called upon from abroad, by eminent gentlemen, for knowledge as to the workings of this Act or information system, and knowing the deep interest taken in it by the people of the State, I am convinced that a statement, by me, at this time, of the foregoing views, is both needed and justified.

All of which is respectfully submitted.

ALBERT WILLIAMS,
Attorney General.

APPENDIX.

APPENDIX.

ATTORNEY GENERAL'S OFFICE,
IONIA, October 18, 1866.

GEORGE RICHMOND, Esq., *Inspector of Elections:*

DEAR SIR: Your letter of the 5th inst. was duly received; but on account of the importance of its subject matter, and the pressure of official duties, I have necessarily delayed a reply till to-day.

You inform me that the question is often asked, "Is there any law of this State, or of the United States, which disfranchises deserters and those who left the districts in which they were respectively enrolled to avoid any draft?" If there be such a law, State or National, (the information being important to you, as well as to numerous others in your township,) you wish me to oblige you by informing you where it may be found; and, in my opinion, whether it be constitutional; and, if so, the course to be adopted in executing it?

In answer, I have to say that there is no statute of this State which disfranchises such persons. But while this is true with respect to our State legislation, it is also equally true that Act No. 128, page 178, of the laws of 1863, of this State, *does*, among other offenses thereby created, make "bounty-jumping," and desertion from the military service of the United States, or of this State, a felony, imposing upon such offenders, "upon conviction thereof," in any court of this State, severe pains and penalties. This statute being still in force, I know of no reason why such persons, "unless claimed and punished under the authority and by the laws of the United States," may not at any time, within six years from the time of so offending, be proceeded against, and punished as contemplated by this act; for certainly, by no proclamation issued from the chief execu-

tive office of the State, have these offenders, or any of them, been pardoned. Therefore, as in the case of all other persons charged with crime under the laws of this State, the above mentioned act is left free to take its course, no Governor of the State having in anywise thrown himself across its path.

But while said act No. 128 goes only to the extent above indicated, by way of providing for the punishment of such offenders, there is also a statute of the United States bearing upon them. It is section 21, of an act of Congress, entitled "An act to amend the several acts heretofore passed to provide for the enrolling and calling out of the national forces, and for other purposes," approved March 3, 1865, found on page 79 of the "acts and resolutions" of Congress, 1865, which said section 21 is in language as follows, to-wit:

"Sec. 21. *And be it further enacted*, That in addition to the other lawful penalties of the crime of desertion from the military or naval service, all persons who have deserted the military or naval service of the United States, who shall not return to said service, or report themselves to a provost marshal within 60 days after the proclamation hereinafter mentioned, shall be deemed and taken to have voluntarily relinquished and forfeited their rights of citizenship, and their rights to become citizens; and such deserters shall be forever incapable of holding any office of trust or profit under the United States, or exercising any rights of citizens thereof; and all persons who shall hereafter desert the military or naval service, and all persons who, being duly enrolled, shall depart the jurisdiction of the district in which he is enrolled, or go beyond the limits of the United States, with intent to avoid any draft into the military or naval service, duly ordered, shall be liable to the penalties of this section. And the President is hereby authorized and requested forthwith, on the passage of this act, to issue his proclamation setting forth the provisions of this act, in which proclamation the President is requested to notify all deserters returning within 60 days as aforesaid, that they shall be pardoned, on condition of their returning to their regiments and companies, or

to such other organizations as they may be assigned to, until they shall have served for a period of time equal to their original period of enlistment."

The only proclamation issued by the President to carry into effect the provisions of the foregoing section, bears date March 11, 1865, and, after reciting said section in its preamble, concludes its pertinent part in language as follows, to-wit:

"Now, therefore, be it know that I, Abraham Lincoln, President of the United States, do issue this, my proclamation, as required by said act, ordering and requiring all deserters to return to their proper posts; and I do hereby notify them, that all deserters who shall, within sixty days from the date of this proclamation, viz: on or before the 10th day of May, 1865, return to service, or report themselves to a provost marshal, shall be pardoned, on condition that they return to their regiments and companies, or to such other organizations as they may be assigned to, and serve the remainder of their original terms of enlistment, and, in addition thereto, a period equal to the time lost by desertion."

That Congress has *power* to pass *such* an act, resting not upon "a military necessity," but upon the federal constitution itself, I have no doubt.

Turning to that instrument, we see that all legislative power therein granted is vested in Congress; and that, among other things, Congress shall have power to raise and support armies; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the constitution in the Government of the United States, or in any department or officer thereof. Nay, more: the constitution and laws of the United States, which

shall be made in pursuance thereof, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

Broad and comprehensive powers are the foregoing, truly; and but few need be told, that, to consummate their momentous purposes, far more stringent, prompt and extraordinary legislation is needed, relating, as they do, to a time of war, than those contemplating a condition of peace. Certainly, the penalties imposed by said act of Congress are not as severe as those authorized to be inflicted in many other instances, for a violation of military laws or orders, some of which even authorize the instant killing of the offender; and yet their validity has never been questioned. The life of the nation being at stake, it is but the highest dictate of a sound and sagacious patriotism, to employ in its defense every means sanctioned by the usages of civilized warfare; and the penalties of the act of Congress referred to, cannot be said to be inconsistent with them.

The rights of the elective franchise and of holding office, undeniably belong only to such persons as are, by law, vested therewith. They are not inalienable or absolute rights; but rest in the frame of government itself, to be exercised by certain persons or classes of persons, all others being excluded therefrom; and may be possessed to-day and not to-morrow; and that, too, without any further action on the part of government, but solely by that of the individual. Indeed, they are rights that rest upon certain qualifications, prescribed by law, and cannot exist without them. No principle is better or more uniformly settled than this. And as it regards citizenship, which is a part of the foundation of the rights in question, it is something given or withheld in this country, by the general government alone, our State Constitution and laws nowhere attempting to prescribe or determine it. Hence, it necessarily follows, that those who are not made citizens, by Federal power and authority, are not citizens at all, of either State or Nation. Hence, too, it is easy to see how, in the ex-

ercise of the foregoing powers of the general government, it may, at times and under certain circumstances, become necessary, and absolutely so, as in the cases mentioned in said section 21, of the act of Congress referred to, to restrict the rights named, or even impose other disabilities.

The forfeitures contemplated by this act of Congress, evidently do not depend upon the judgment or decree of any Court, rendered upon a trial and conviction; but are absolute, made so by the very terms of the act itself, and may be taken advantage of collaterally, a prior conviction being unnecessary. None was had in the case of any one of those who returned to such service, as a condition precedent to pardon; and for equally good, if not the same reasons, none is necessary in the case of the others, to make the forfeiture complete.

The conclusion to be drawn from the foregoing premises, therefore, is irresistible, that all persons who deserted from the military or naval service of the United States, before March 3d, 1865, and did not return to such service, or report themselves to a provost marshal, on or before the 10th day of May, in that year, and fully comply with all the terms and conditions of said section 21, of the act of Congress, as ordered and required by the President's proclamation, thereby receiving pardon; and all persons who, after March 3d, 1865, deserted such service, or departed from the jurisdiction of the district in which they were duly enrolled, or went beyond the limits of the United States, with intent to avoid any draft into such service, duly ordered—thereby relinquishing and forfeiting their rights of citizenship, and their rights to become citizens, as well as their capability of holding any office of trust or profit under the United States, or of exercising any rights of citizens thereof—are not electors, under the Constitution and laws of this State, or entitled to hold any office of trust or profit under the same; and, consequently, cannot vote at our elections, or be eligible to such offices. A voice in government and official incumbency are too clearly among the peculiar rights of citizenship to admit of argument; and, therefore, citizenship, together with the

privileges named, being forfeited, *the right of voting is necessarily forfeited also.* At all events, this is so, and will so remain, in the absence of favorable action on the part of Congress, or the President.

I would advise, then, that every such person who offers to vote, be challenged as unqualified as an elector to vote at the election; and that each of them who takes the first oath prescribed by section 49, pages 107 and 108, of the compiled laws, swearing, among other things, as he will have to, that he is a citizen of the United States, when in truth he is not, will thereby commit the crime of perjury, and should be prosecuted accordingly. And that all others of them, who vote without being challenged, or, being challenged, take either of the other four oaths, prescribed by said section 49, be prosecuted for illegal voting, under section 5915, page 1556, of the compiled laws, which makes ample provision therefor. And though the crime of perjury be committed at the time of voting, in the way and manner above mentioned, it will nevertheless be competent for the people, it being for any reason thought advisable, to prosecute them, not for perjury, but for illegal voting, under said section 5915, it being enough to constitute the offense of illegal voting, that they willfully or knowingly gave in their votes without the requisite qualifications as an elector, it being wholly immaterial as to whether they were challenged or not. The impression, quite too common, that men not qualified to vote, may do so with impunity, if not challenged, is one without any foundation, and in the minds of all who entertain it, cannot be too soon exploded. Said section 5915, together with other sections of our statutes, were particularly designed to preserve the purity of the ballot-box, by punishing all who do not regard its sanctity. They are doubtless ample for all the purposes for which they were designed, being able, in one way or another, to reach and inflict punishment upon all who venture to pollute our elections, by casting illegal votes. The challenge should be made by one of the inspectors of election, or a qualified elector; and when made, the board of inspectors should declare to the

person challenged, the constitutional qualifications of an elector, not omitting to state, among other things, the provisions of section 21, of said act of Congress; for it is a part of "the supreme law of the land, * * * anything in the constitution or laws of any State to the contrary notwithstanding."

Statutes being found, it may not be amiss to add in this connection, at this time, that it is the duty of all other departments of Government to execute them, they having nothing to do with regard to their wisdom or propriety. Of course it is the right of all to properly and honestly labor for their repeal; but of none to disregard them while in force. This proposition, under our system of Government, plainly marked and divided as all its powers are, is too well settled to admit of a sincere intelligent difference of opinion.

General order No. 152, of the War Department at Washington, bearing date October 17, 1865, does not affect the positions above taken; for it does not pardon such deserters and absconding persons. It was simply a military order; and at most prevented thereafter the arrest of deserters, by the military authorities, for having failed to report under any draft, or for any other non-compliance, with the enrolling act, or the amendments thereto; and that all persons of this class then held should be immediately discharged. Addressed by the commander-in-chief only to military subalterns, it could have no other, or further effect than is expressed in it; thus leaving the civil *status* of such persons unchanged. Then no longer needed to swell the ranks of the army, it was only designed that the military arm of the Government should be relieved from further effort by reason of their offending; and not that they should gain further advantage therefrom.

Nor does the general amnesty proclamation of President Johnson, issued May 29, 1865, pardon or at all relieve any such persons from the penalties of section 21 of said act of Congress; for, by its language and meaning, it applies *only* to "all persons who have, directly or indirectly, participated in the existing

rebellion," granting to *them*, and no others, "amnesty and pardon," and even excepting from them certain classes therein specified.

In a word: there is no statute, proclamation or military order, which, in anywise, forgives or excuses such persons, or any of them, except those herein mentioned, and, those only to the extent and in the way and manner above stated.

Trusting, sir, that the foregoing is sufficient to give you the law inquired after, and the place where it may be found, and my views in regard to its constitutionality, as also the course to be adopted by inspectors of elections, and all good and law-abiding citizens in executing it,

I remain, sir,

Your most obedient servant,

A. WILLIAMS,

Attorney General.

ABSTRACTS OF REPORTS OF PROSECUTING ATTORNEYS,

BY COUNTIES, FOR THE YEAR 1866.

ALLEGAN COUNTY.

JOHN W. STONE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	21	16 convicted; 1 fined $15—appealed; 1 fined $3 and costs—paid; 1 fined $25—paid; 1 fined $5—paid; 1 fined $10—appealed; 1 sent to jail 15 days; 1 fined $5 and costs—paid; 1 fined $5—paid; 1 fined $10—paid; 1 fined $15—paid; 1 fined $100—paid; 1 fined $40—appealed, still pending; 1 fined $8 and costs—paid; 1 fined $12 and costs—paid; 1 fined $20—paid; 1 fined $5 and costs—paid; 3 acquitted; 2 settled, complainant acknowledged satisfaction.
Bigamy,	1	Respondent forfeited bail—$300 of bail collected.
Burglary,	3	1 plead guilty and sentence suspended; 1 convicted and sentenced to State Prison one year; 1 convicted and sentenced to State Prison three years.
Obtaining goods under false pretenses,	2	Both discharged on examination.
Passing counterfeit money,	1	Respondent forfeited bail, took judgment and collected $100.
Petit larceny,	6	5 convicted; 1 sent to jail 30 days; 1 fined $10 and costs—paid; 1 fined $60—paid; 1 fined $30—paid; 1 fined $5, and paid; 1 sent to jail 20 days; 1 acquitted.
Selling intoxicating liquors,	2	1 convicted, and fined $10 and costs—paid; 1 settled.
Breach of peace,	2	Both held to bail; 1 gave bail, 1 sent to jail six months, in default of bail.
Rape,	1	Informed against—still pending.
Seduction,	1	Convicted, and sentenced to 5 years imprisonment in State Prison.
Malicious injury to property,	1	Discharged on examination.
Disturbing public meeting,	1	Convicted and fined—appealed.
Grand larceny,	2	Both convicted, and sentenced to imprisonment 5 years each in State Prison.
Assault with intent to murder,	1	Trial—jury disagreed—afterwards plead guilty to charge assault and battery, and fined $100—paid.

ALPENA COUNTY.

OBED SMITH, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Riot,	4	1 convicted, fined $50; 2 discharged; 1 nol. pros.
Assault, attempt to kill,	2	Discharged by justice on examination.
Maiming,	1	Nolle prosequi.
Resisting an officer,	4	1 pending; 3 discharged.
Larceny,	5	1 fined $1 and costs, 15 days in jail; 1 discharged; 3 escaped.
Assault and battery,	14	1 fined $5 and costs, in jail 30 days; 2 in jail 10 days, fined $5 each and costs; 2 fined $15 each; 2 fined $10 each, and costs; 4 settled; 3 acquitted.
False pretense,	3	Discharged on examination.
Search warrants,	5	
Bound over to keep the peace,	4	
Violation of liquor law,	21	1 pending in Circuit Court; 6 acquitted; 2 fined $20 each; 12 fined $10 each.

BARRY COUNTY.

C. G. HOLBROOK, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Grand larceny,	5	2 convicted, 1 sentenced one year and 1 two and a half years; 2 acquitted and 1 still pending.
Petit larceny,	1	Convicted—fined $75.
Forgery,	1	Convicted—sentenced 2 years.
Malicious mischief,	2	1 acquitted, and 1 convicted and sent to Reform School till 21 years of age.
Polygamy,	2	Still pending.
Manslaughter,	1	Acquitted.
Assault and battery,	15	6 acquitted; 9 convicted, of which 2 fined $35; 2 fined $25 jointly; 1 fined $5, and 4 fined $1 each, and costs of prosecution in each case.
Sureties to keep the peace,	4	Bail ordered and given in each case.
Perjury,	2	1 discharged on examination and 1 still pending.

BERRIEN COUNTY.

GEO. S. CLAPP, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Murder in first degree,	2	1 acquitted; 1 convicted, and sentenced to solitary imprisonment in Penitentiary for life.
Grand larceny,	7	3 discharged on examination; 3 convicted—2 sentenced to Reform School—1 of these was subsequently discharged, being too old to be received; 1 sentenced to imprisonment 5 years in Penitentiary; 1 pending.
Assault with intent to rob and steal,	2	2 convicted, and sentenced to imprisonment in Penitentiary 10 years each.
Obtaining goods under false pretenses,	2	1 nolle prosequi entered; 1 convicted, and sentenced to 3 years imprisonment in Penitentiary.
Assault with intent to kill,	4	2 convicted of assault and battery only—one of whom was fined $175, and fine paid, the other fined $200, and in default was sentenced to House of Correction 6 months; 2 convicted and sentenced, 1 to 5 years in Penitentiary, and 1 to 3 years in Penitentiary.
Burglary,	1	Convicted and sentenced to 2 years imprisoment in Penitentiary.

BRANCH COUNTY.

GEO. A. COE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault with intent to kill,	1	Convicted of assault and battery, fined $50.
Larceny from person,	1	Sent to State Prison 3 years.
Grand larceny,	7	1 State Prison 5 years; 2 State Prison 3 years each; 2 State Prison 2 years each; 2 House of Correction 6 months each.
Assault and battery,	29	4 fined $15 each; 4 fined $5 each; 3 fined $10 each; 2 fined $7.50 each; 1 fined $3; 1 fined $1; 1 fined $100; 1 fined 11.60; 1 House of Correction 3 months; 6 acquitted on trial; 5 still pending.
Resisting officer,	1	Nolle prosequi.
Aiding prisoner to break jail,	1	Tried and acquitted.
Assault with intent to commit a rape,	1	Convicted of assault and battery, and fined $100.
Manslaughter,	1	Acquitted.
Adultery,	4	1 nolle prosequi; 1 filed reasons; 2 examined and discharged.
Threatening,	3	2 bound over to keep the peace; 1 examined and acquitted.
Burglary and larceny,	1	Tried and acquitted.
Vagrancy,	4	Sent to Detroit House of Correction 90 days each.
False pretenses,	1	Still pending.
Keeping bawdy house,	1	Fined $5 and recognizance to keep peace.
Resorting to bawdy house,	1	Fined $10.
Gaming.	4	Fined $5 each.
Keeping common gaming house,	2	1 fined $25; 1 fined $15.
Embezzlement,	1	Still pending.
Petit larceny,	80	2 fined $20 each; 1 fined $30; 4 fined $10 each; 1 fined $18; 1 fined $15; 1 fined $9; 1 fined $6; 1 fined $5; 4 sent to Reform School, Lansing; 1 jury disagreed and discontinued; 6 tried and acquitted; 1 discontinued; 1 appealed—still pending; 5 still pending.

CALHOUN COUNTY.

JOHN C. FITZGERALD, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Larceny,	41	4 State Prison 1 year and 6 months each; 1 one year and 8 months; 5 sent to State Prison 2 years each; 1 fined costs and one day in jail; 1 fined $40 and costs; 2 three years in State Prison each; 1 six months; 4 House of Correction 90 days each; 7 State Prison 1 year each; 1 recognizance ($500) forfeited and paid; 3 Reform School till 21; 1 escaped and recognizance forfeited; 2 still pending.
Uttering counterfeit money,	1	Recognizance forfeited and paid.
False pretenses,	9	1 State Prison 2 years; 1 one year; 6 discharged on examination; 1 recognizance forfeited.
Conspiracy,	3	Still pending.
Assault and battery,	25	13 fined costs; 1 fined $257.52 and costs; 4 House of Correction 90 days; 1 fined $115; 1 fined $100; 1 fined $10; 1 fined $50; 1 county jail 60 days; 1 House of Correction 60 days; 1 fined $20.
Rape,	2	1 still pending; 1 discharged on examination.
Perjury,	2	Discharged on examination.
Malicious trespass,	12	9 filed reasons; 3 convicted.
Riot,	10	Discharged on examination.
Resisting an officer,	5	Discharged on examination.
Disorderly persons,	20	14 gave bail for good behavior; 6 discharged.
Forgery,	4	2 State Prison 1 year each; 2 still pending.
Willfully injuring dwelling house,	1	Recognizance forfeited and collected.
Selling diseased meat,	1	Fined $35 and costs.
Assault with intent to kill,	1	Still pending.
Arson,	4	1 Reform School; 2 still pending; 1 recognizance forfeited.
Murder,	2	State Prison for life.
Adultery,	4	2 still pending; 1 one year in State Prison; 1 six months.
Receiving stolen goods,	1	Still pending.
Sureties to keep the peace,	5	Gave bonds.
Seduction,	1	Complaint withdrawn.

CASS COUNTY.

A. J. SMITH, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault with intent to murder,	2	1 found guilty of assault and battery, fined $100; 1 acquitted on plea of insanity.
Perjury,	1	Acquitted.
Larceny,	16	2 sent to State Prison for 3 years; 1 five years; 2 for 2 years; 1 sent to Reform School; 1 acquitted; 1 discharged—recognizance; 1 forfeited his recognizance and the bond prosecuted; 1 fined $4 and costs; 1 sent to county jail 60 days, and three undetermined; 1 fined $5 and the other $25 and costs.
Disturbing religious meeting,	6	3 fined each $4 and costs; 1 fined $12 and 2 $8 each.
Stealing in dwelling house,	2	1 acquitted and the other convicted and sentence suspended.
Disposing of personal property by lottery,	2	Fined $50.
Lewd and lascivious cohabitation,	2	Acquitted.
Assault and battery,	15	1 fined $3 and costs; 1 $25; 1 $9 85; 3 fined each $3 and costs; 1 fined $4; 3 acquitted; 2 discontinued; 1 fined $15; 1 fined $10, and 1 $6.
Violation of liquor law,	11	3 acquitted; 1 undetermined; 1 fined $20, and the rest $10 each.
For penalty for obstructing highway,	1	Fined 50 cents and costs of suit.

DELTA COUNTY.

E. P. ROYCE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Manslaughter,	1	Justifiable homicide.
Assault and battery,	5	2 fined $5 and costs; 1 fined $5 and costs; 1 settled by the parties; 1 fined $5 and costs; 1 fined $10 and costs.
Grand larceny,	1	Bound over to Circuit Court.

EATON COUNTY.

J. W. NICHOLS, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	30	5 discharged; 25 convicted, fined in the aggregate two hundred and three dollars.
Assault and battery,	10	3 acquitted; 7 fined $70 dollars.
Simple larceny,	12	3 acquitted; 7 fined $110 in all.
Grand larceny,	8	3 in jail; 1 thirty days, 1 ninety days; 1 sixty days; one discharged by paying costs; 1 fined $100; 1 sent to House of Correction until 21 years of age; 1 to State Prison 2 years and 8 months; 1 to State Prison 8 months.
Malicious injury to personal property,	3	1 fined $25; 1 sent to House of Correction till of age; 1 fined $5 and 5 days in jail.
Bastardy,	1	To jail 90 days.
Lewd and lascivious cohabitation,	2	1 fined $100, and in default of paying, 6 months in county jail; 1 $150, and in default of paying 1 year in jail.
Liquor suits,	8	1 discharged; 7 fined in all $70 and costs.
Assault with intent to commit a rape,	1	Acquitted.
Seduction,	1	Acquitted.
Assult with intent to kill and murder,	1	Not disposed of.
False pretenses,	1	Not disposed of.
Bigamy,	2	Not disposed of.

GRATIOT COUNTY.

W. E. WINTON, *Pros. Atty.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Selling intoxicating liquor,	1	Fined $10.
Petit larceny,	1	Nol. pros. entered.
Resisting officer in executing process,	1	Fined $25.
Willfully destoroying property,	1	Discharged.
Assault and battery with axe,	1	Fined $10 and costs.
Willfully killing beast, (hog),	1	Jury not agreeing, and second trial jury did not agree.
Assault and battery,	7	1 fined $5 and costs; 1 fined $15 and costs; 1 fined $5 and costs; 1 fined $2 and costs; 1 fined $5 and costs; 1 fined $2 and costs; 1 fined $40 and costs.
Grand larceny,	1	Convicted—sentenced State Prison 1 year.
Arson,	1	Held to bail for appearance to Circuit Court.

HILLSDALE COUNTY.

E. L. KOON, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Selling liquor,	11	8 fined $10; 3 fined $20.
Keeping gaming table,	3	Fined $10 each.
Burglary,	2	1 three years; 1 five years; 1 discharged.
Simple larceny,	9	Fined and 60 days in jail.
Compound larceny,	5	1 one year; 1 two years; 1 three years; 1 five years; 1 House of Correction 1 year.
Adultery,	3	1 discharged; 2 pending.
Bastardy.	3	Pending.
Assault and battery,	31	Fined from $1 to $45.
Incest,	4	1 State Prison 15 years; 3 pending.
Under bonds to keep peace,	5	
Assault with intent to rape,	2	1 fined $1000; 1 House of Correction 1 year.
Burning building,	5	1 House of Correction; 4 pending.
Disturbing religious meeting,	4	Fined $10 each.
Disturbing Lyceum,	10	4 fined $10; 1 fined $5; 6 acquitted.
Injury to dwelling house,	2	1 fined $25; 1 sent to jail 60 days.
Breaking jail,	1	Nolle prosequi entered.
Seduction,	1	Paid county $150 and complainant $600.
Getting goods under false pretenses,	1	Broke jail and left.

INGHAM COUNTY.

R. C. DART, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	53	6 acquitted; 3 fined $3 and costs; 4 fined $10 and costs; 2 fined $1 and costs; 5 fined $5 and costs; 5 fined $15; 3 fined $25; 3 thirty days in jail; 1 fined $30; 2 fined $8 and costs; 1 fined $6; 2 fined $50; 1 fined $60; 1 fined costs; 1 settled before trial; 11 nolle pros.
Larceny,	36	12 acquitted; 1 fined $25; 1 fined costs; 1 fined $30; 2 fined $15; 2 fined $10; 2 fined $8; 1 Reform School; 7 State Prison—4 for 5 years each, 1 for 3 years, 1 for 2 years, 1 for 1 year; 1 held for trial and escaped jail; 6 nolle pros.
Bigamy,	1	Not yet terminated.
Marring and defacing building,	1	Acquitted.
Disturbing public peace,	1	Convicted and fined $5.
Receiving stolen goods,	1	Acquitted.
Resisting officer,	2	Acquitted.
Attempt to commit felony,	2	Undetermined.
Surety of the peace,	4	Gave bonds.
Arson,	1	Undetermined.
Malicious injury to personal property,	1	Acquitted.
Cruelty to animals,	1	Acquitted.
Adultery,	2	1 acquitted, the other not yet determined.
Obtaining goods under false pretenses.	2	1 sentenced 1 year to State Prison, the other acquitted.

HURON COUNTY.

C. H. GALLUP, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Larceny,	4	1 convicted and sent to State Prison 1 year; 1 fined $25 and costs; 1 committed and escaped from officer, and 1 discharged on examination.
Polygamy,	2	1 bound over to await trial, and 1 bound over for further examination.
Adultery,	2	Bound over to await trial.
Assault with intent to commit murder,	1	Acquitted.
Assault with intent to commit rape,	1	Acquitted.
Malicious destruction of personal property,	2	1 escaped before arrest, and 1 bound over for trial—bail forfeited.
Riot,	12	3 escaped before arrest; 6 acquitted on examination; 1 discharged on habeas corpus, and 2 acquitted on trial.
Robbery from the person, defendants being armed,	3	1 acquitted, and 2 nol. pros.
Assault and battery,	7	1 fined $20, in default of payment was committed to jail 30 days; 3 fined $15 each; 1 fined $5, 1 fined $2, and 1 fined $1.

IONIA COUNTY.

WM. W. MITCHEL, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Burglary,	6	1 convicted and sent to State Prison 2 years; 1 discharged on examination; 4 still pending.
Grand larceny,	5	1 discontinued; 3 convicted—1 sent to State Prison 1 year; 1 1 year and 6 months; 1 1 year and 3 months; 1 acquitted on trial.
Simple larceny.	7	1 fined $100—fine paid; 4 discontinued; 1 pending; 1 convicted—sent to jail 50 days.
Arson,	1	Discontinued.
Rape,	1	Discontinued.
Assault with intent to murder,	1	Still pending.
Assault and battery,	19	15 convicted—1 fined $1 and costs of suit, taxed at $3,17; 1 sent to county jail 60 days; 1 fined $15 and costs, taxed at $7.22; 1 fined $20 and costs, $6.10; 1 fined $10 and costs, $3,70; 1 fined 6 dollars and costs, $5.75; 1 fined 3 dollars and costs, 8 dollars; 1 fined 1 dollar and costs, $6.50; 1 fined 5 dollars and costs, 5 dollars; 1 fined 3 dollars and costs, 5 dollars; 2 fined the costs, 3 dollars; 1 fined 3 dollars and costs, 6 dollars; 1 fined 10 dollars and costs, 5 dollars—fines all paid; 1 sent to county jail 30 days; 3 settled and costs paid by complainant; 1 acquitted on trial.
Resisting public officer,	4	3 pending; 1 discharged on examination.
Selling intoxicating liquor contrary to law.	4	Each fined 10 dollars and costs of suit—fines all paid.

IOSCO COUNTY.

FREDERICK SCHEFFLER, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Malicious killing of animal of another,	1	Information filed, case pending.
Embezzlement,	1	Information filed, case pending.

ISABELLA COUNTY.

J. A. FANCHER, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Larceny,	3	1 sent to House of Correction, Lansing; 1 discharged on examination.
Assault and battery,	2	1 tried and acquitted; 1 nol. pros. entered.
Larceny,	1	Convicted, fined and fine paid.

KEWEENAW COUNTY.

ROBT. F. GULICK, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	10	1 fined 40 dollars; 6 fined 10 dollars; 2 fined 5 dollars, and 1 pending.
Larceny,	3	1 fined $100; 1 fined $40; 1 filed reasons.
Bastardy,	1	Settled with superintendent of poor.
Willful trespass,	4	Fined 5 dollars each.
Indecent exposure of person,	1	Nolle prosequi.

KALAMAZOO COUNTY.

HENRY C. BRIGGS, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault with intent to kill,	1	Acquitted on trial.
Burglary and larceny,	3	1 convicted—State Prison 3 years; 2 surrendered to U. S. authorities; 1 pending.
Larceny from the person,	3	1 broke jail and pending; 1 pending and 1 nolle prosequi.
Grand larceny,	15	6 convicted—1 State Prison 1 year; 1 one year and 6 months; 1 one year and 8 months; 1 two years, and 3 four years each; 4 complaint withdrawn and discharged on examination; 1 nolle pros. and 4 pending.
Larceny from dwelling,	1	Broke jail and pending.
Obtaining money by false pretenses,	9	5 convicted—2 State Prison 1 year each; 1 three years; 1 county jail 60 days; 1 fined 50 dollars or county jail 60 days; 1 pending; 3 complaint withdrawn and discharged on examination.
Attempt to obtain money by false pretenses,	1	Recognizance forfeited and pending.
Embezzlement,	1	Discharged on examination.
Passing counterfeit draft,	1	Convicted—State Prison 5 years.
Polygamy,	2	Convicted—1 sentence suspended and taken to Supreme Court, and 1 State Prison 3 years.
Attempt to steal from the person,	3	1 convicted—State Prison 1 year, and 2 pending.
Passing counterfeit money,	2	1 complaint withdrawn and 1 pending.
False personation,	1	Convicted—county jail 120 days or fine $150.
Aiding prisoner to break jail,	2	1 nol. pros.; 1 convicted and sentence set aside.
False imprisonment,	1	Discharged on payment of costs and satisfaction of party.
Arson.	3	Discharged on examination.
Disturbing religious meeting,	3	1 discharged and 2 fined 5 dollars each.
Lewd and lascivious cohabitation,	3	Discharged on examination.
Injury to dwelling,	5	All in one complaint and discharged.
Seduction,	2	1 "merged in matrimony," and 1 discharged.
Bastardy,	3	Discharged.
Violation of liquor law,	1	Convicted and fined 10 dollars and costs $2.82.
Assault and battery,	51	31 convicted—9 fined 5 dollars each, 2 4 dollars each, 6 10 dollars each, 1 $10.50, 3 15 dollars each, 1 26 dollars, 1 50 dollars, 1 county jail 60 days, 1 county jail 2 days, 3 sentence suspended, 2 convicted and appealed to Circuit Court; 20 discharged on trial and on payment of costs and satisfaction of injured party, etc.
Keeping house of ill-fame,	2	Dischargad on examination.
Selling obscene pictures,	1	Convicted—county jail 30 days.
Petit larceny,	32	16 convicted—4 fined 5 dollars each, 1 10 dollars, 3 25 dollars each, and 2 50 dollars each; 1 Detroit Work House 90 days; 2 county jail 3 days each; 2 county jail 60 days each; 2 Reform School till 21 years of age; 16 complaints withdrawn and acquitted on trial.
Violation of game law,	2	Convicted and fined each 5 dollars and costs.
Disorderly,	42	Mostly required to give security for good behavior

KENT COUNTY.

BYRON D. BALL, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Murder,	3	1 acquitted; 1 sent to State Prison for life; 1 nol. pros.
Compound larceny,	19	4 discharged; 1 sent to State Prison for 3 years; 1 sent to State Prison for 2 years and 6 months; 6 sent to State Prison for 2 years and 3 months; 1 sent to State Prison for 2 years; 2 for 1 year and 6 months; 1 for 1 year; 3 sentence suspended; 2 sent to county jail six months; 1 for 90 days; 1 fined $75 and jail 3 months; 1 forfeited bail.
Adultery,	3	2 discharged; 1 fined $2.50.
Burglary,	1	Discharged.
Extortion,	1	Nolle prosequi.
Assault with intent to rape,	2	Sent to State Prison for three years.
Bastardy,	1	Convicted and ordered to pay $200 towards support of child.
Petit larceny,	11	1 sent to county jail for 60 days; 4 sent to Reform School till 21 years of age; 6 discharged.
Assault and battery,	31	5 discharged; 7 fined 1 dollar and costs; 3 fined 3 dollars; 2 discontinued; 3 fined 10 dollars; 1 fined 5 dollars, and in default of payment 30 days in jail; 2 fined 5 dollars and costs; 3 fined 3 dollars and costs; 1 fined 25 dollars.
Disorderly,	4	2 gave bonds in the sum of 100 dollars for support of family; 2 committed to county jail for want of bonds.
Threatening to take life,	2	Gave bonds in the sum of 500 dollars to keep the peace.
Threatening to injure,	1	Gave bonds in the sum of 100 dollars.
Selling spirituous liquors,	3	Fined 10 dollars and costs.

LAPEER COUNTY.

S. B. GASKIL, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	30	1 fined 20 dollars—paid; 2 fined 15 dollars each—paid; 1 fined 10 dollars—paid; 10 acquitted; 5 fined 5 dollars—paid; 1 50 days in jail; 3 fined 3 dollars each—paid; 6 jury did not agree and discontinued; 1 acquitted.
Adultery,	4	1 convicted—fined 100 dollars and imprisoned 50 days; 2 pending; 10 acquitted.
Larceny,	20	1 fined 15 dollars—paid; 1 90 days in jail; 1 jury did not agree; 3 still pending; 3 acquitted; 3 fined 5 dollars each.
Burglary,	2	Fined 50 dollars each and imprisoned 50 days each.
Trespass on public lands,	2	Still pending.
Resisting officer,	1	Acquitted.
Assault with intent to kill,	2	1 acquitted; 1 still pending.
Indecent exposure,	3	Fined $7.50 each—paid.
Disturbing religious meeting,	2	1 fined 3 dollars and costs—paid; 1 acquitted.
Embezzlement,	1	Acquitted.
Rape,	1	Still pending.
Bastardy,	2	Still pending.

LENAWEE COUNTY.

CLEMENT E. WEAVER, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Arson,	2	1 tried—jury disagreed—in jail; 1 nol. pros.
Adultery,	5	2 convicted—sentenced, 1 State Prison 1 year, 1 State Prison 6 months; 1 given over to Hillsdale county, on charge of bigamy; 1 forfeited 500 dollars bail; 1 pending, in jail.
Assault with intent to kill,	8	1 convicted of assault—sentenced Detroit House of Correction 1 year; 1 forfeited 5000 dollars bail before justice; 1 pending, in jail.
Assault and battery,	30	27 convicted—sentenced, 1 Detroit House of Correction 85 days and fined 50 dollars, 24 fined amounts ranging from 3 dollars to 50 dollars, 2 sentence suspended; 3 acquitted on trial.
Absconding husband,	1	Order for sale of personal property.
Bastardy,	2	1 plead guilty—gave $500 bonds to take child and properly care for it; 1 settled—defendant paying complainant 250 dollars.
Burglary,	1	Convicted—sentenced State Prison 5 years—another information pending against him.
Bigamy,	1	Pending—on bail.
Conspiracy,	1	Charged with others not arrested—forfeited $500 bail before justice.
Cutting trees in cemetery,	1	Plead guilty—sentence, fined 50 dollars and 8 dollars costs.
Disorderly persons,	9	9 convicted—2 gave required sureties; 7 committed in default of sureties.
Embezzlement,	2	1 pending—on own recognizance—tried, jury disagreed; 1 pending—in jail.
Forgery,	2	1 convicted—sentenced State Prison 2 years; 1 discharged on examination.
False pretense,	14	3 convicted—sentenced, 1 State Prison 5 years, with two other informations pending, 1 State Prison 3 years, 1 State Prison 2 years; 1 acquieted on trial; 6 discharged on examination, all one case; 1 forfeited 500 dollars bail before justice; 3 pending; 1 in jail; 2 on bail.
Keep the peace,	5	Convicted—3 gave required sureties; 2 committed in default of sureties.
Larceny, compound,	6	4 convicted—sentenced, 2 State Prison 2 years each, 2 State Prison 6 months each; 1 acquitted on trial; 1 (pickpocket) forfeited $7000 bail in Circuit Court.
Larceny, over $25,	23	14 convicted—sentenced, 1 State Prison 5 years—pending in Supreme Court on bill of exceptions, 2 other informations pending against him; 1 State Prison 5 years, with sentence suspended on plea of guilty on another information; 1 State Prison 4 years, sentenced as a common thief on three convictions at same term of court; 1 State Prison 3 years, second conviction; 2 State Prison 2 years each; 2 State Prison 1 year each; 1 Detroit House of Correction 8 months and fined 200 dollars; 1 county jail 30 days; 1 county jail 10 days; 1 fined 150 dollars; 1 Reform School; 1 sentence suspended—used as State's evidence. 4 acquitted on trial; 1 forfeited 1000 dollars bail before justice; 4 pending—3 in jail, 1 with 3 informations against him, one on his own recognizance.

LENAWEE COUNTY—CONTINUED.

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Larceny, under $25,	42	40 convicted—sentenced, 8 Detroit House of Correction 90 days each, 3 Detroit House of Correction 89 days each, 3 Detroit House of Correction 85 days each, 1 Detroit House of Correction 80 days, 1 Detroit House of Correction 65 days, 1 Detroit House of Correction 60 days, 1 county jail 25 days, 1 county jail 20 days, 1 county jail 15 days, 3 county jail 10 days, 2 Reform School, 11 fined amounts ranging from 3 dollars to 27 dollars; 4 sentence suspended; 2 acquitted on trial.
Lewd and lascivious cohabitation,	4	1 convicted—sentenced Detroit House of Correction 1 year; 1 not tried—sent to State Prison for adultery; 2 married at jail, and "went on their way rejoicing."
Murder,	4	1 convicted of manslaughter—sentenced State Prison 4 years; 2 acquitted—tried with last above; 1 plead guilty—murder first degree—sentenced State Prison for life, with another information pending.
Murder, attempt to, by poison,	3	2 convicted—sentenced State Prison for life; 1 (girl 13 years old) used as witness in last case, discharged on her own recognizance.
Murder, attempt to, by strangling,	1	Pending—on bail.
Resisting officer,	1	Pending—on bail.
Robbery,	1	Convicted—sentenced Sate Prison 2 years.
Rape,	3	1 convicted—sentenced State Prison 15 years; 1 nolle; 1 discharged on examination.
Receiving stolen property,	6	1 convicted—not sentenced, being sent to State Prison for larceny; 1 acquitted; 4 pending—on bail.
Unlawful assembly,	8	Pending—on bail.

LIVINGSTON COUNTY.

S. F. HUBBELL, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Grand larceny,	2	1 discharged and 1 pending.
Simple larceny,	8	1 fined $5; 1 discharged; 1 pending.
Seduction,	1	Pending.
Bastardy,	1	Pending.
Obtaining goods under false pretenses,	2	Both discharged.
Assault and battery,	17	1 fined $30; 1 fined $15; 3 fined $20 each; 3 fined $10 each; 1 fined $5; 1 fined $3; 3 fined $2 each; 1 fined $4; 3 discharged.

MACOMB COUNTY.

JAMES B. FLDRIDGE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Rape,	1	Acquitted.
Felonious assault,	1	Acquitted.
Burglary,	11	1 sent to prison 1 year; 1 nolle prosequi; 4 broke jail; 3 pending; 1 acquitted.
Adultery,	2	Reasons for not filing information approved.
Bastardy,	2	1 convicted; 1 nolle prosequi.
False pretense,	1	Acquitted.
Burning barn,	1	Acquitted.
Perjury,	3	Pending.
Bigamy,	1	Jail 3 months.
Grand larceny,	9	2 sent 1 year each, 1 sent 5 years, 1 sent 3 years, all to State Prison; 1 sent to Reform School; 2 reason for not filing information approved; 2 sentence suspended; 1 nolle pros.
Embezzlement,	2	1 pending; 1 discharged on examination.
Seduction,	1	Pending.
Petit larceny,	3	2 acquitted; 1 nolle pros.
Assault and battery,	25	2 fined $1 and costs each; 2 fined $3 and costs each; 5 fined $5 and costs each; 3 fined $10 and costs each; 3 acquitted.

MARQUETTE COUNTY.

HENRY D. SMITH, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Larceny,	4	Convicted—1 Sate Prison 5 years; 1 sixty days; 1 fined $25; 1 pending.
Disorderly persons or common prostitutes,	6	2 recognized for 1 year each; 1 fined 50 dollars; 1 fined 25 dollars; 2 $10 each and costs.
Assalt with intent to murder,	1	Plead guilty to simple assault—sentenced to 60 days in jail.
Assault and battery,	11	2 fined $25 each and costs; 1 $15 and costs; 3 $10 each and costs; 3 $5 each and costs; 1 6 cents and costs; 1 discharged.
Riot,	23	5 fined $100, each, and in default of payment, 100 days in jail; 7 $20 each, and in default, 20 days in jail; 5 each one day in jail; 4 forfeited recognizance; 2 discharged on examination.
Indecent exposure of person,	1	Fined $25 and costs.
Assault with intent to commit a rape,	1	Forfeited recognizance.
Bastardy,	1	Pending.
Sureties to keep the peace,	2	Recognized.

MASON COUNTY.

E. E. BENEDICT, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Selling intoxicating liquors, contrary to law,	3	Found guilty—2 fined $10 each and costs; 1 fined $20 and costs.
Assault and battery,	1	Convicted—imprisoned 30 days and costs of suit

MECOSTA COUNTY.

ELIAS O. ROSE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	5	3 convicted—1 fined $25 and costs; 1 fined $5 and costs; 1 fined $2; 2 not yet arrested.
Assaulting an officer,	1	Still pending.
Embezzlement,	1	Nolle prosequi.
Injuring building,	3	Nolle prosequi.
Larceny,	1	Nolle prosequi.
Maiming animal,	1	Nolle prosequi.
Perjury,	1	Tried and convicted—new trial granted, and venue changed to Newaygo county—still pending.
Poisoning animal,	2	1 still pending; 1 dismissed.
Setting woods on fire,	1	Tried and acquitted.
Violation of liquor law,	4	1 tried and convicted, and fined $10 and costs, and appealed to Circuit Court—still pending; 3 tried and acquitted.

MIDLAND COUNTY.

C. B. WRIGHT, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	10	3 acquitted; 5 fined $5 each; 2 fined $10 each
Conspiracy,	1	Still pending.
Obtaining money by false pretenses,	1	Acquitted.
Larceny,	2	1 fined $5; 1 settled in open court by paying costs.
Riot,	21	Acquitted.

MONTCALM COUNTY.

SETH SPRAGUE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Adultery,	1	Committed for trial.
Assault and battery,	4	2 fined $10 each—paid; 2 fined 6 cents and costs each—paid.
Assault with intent to murder,	3	Committed for trial.
Criminal contempt,	1	Fined $25 and 5 days imprisonment.
False pretenses,	1	Discharged by justice on examination.
Grand larceny,	3	Discharged by justice on examination.
Libel,	1	Fined $85—paid.
Polygamy,	1	Committed for trial.
Selling intoxicating liquors,	1	Fined $10—paid.

MUSKEGON COUNTY.

EDWIN POTTER, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Larceny,	17	2 fined $5 and costs; 1 fined $3; 1 discharged on examination; 1 sent to State Prison 3 years; 1 escaped; 1 nolle prose. entered; 2 discharged; 1 sent to State Prison 1 year; 1 broke jail; 1 sent to jail 60 days; 5 discharged; 1 committed for trial—escaped.
Assault and battery,	4	1 fined $10 and costs; 1 fined $ and costs; 1 fined $15 and costs; 1 fined $5 and costs.
Keeping house of ill fame,	5	2 sentenced to jail 90 days; 3 discharged.
Assault with intent to kill,	1	Died.
Seduction,	3	1 sent to State Prison; 2 discharged.
Rape,	1	Sent to State Prison 20 years.
Obtaining money by false pretenses,	2	Discharged.
Malicious setting fire to hay,	1	Acquitted.

NEWAYGO COUNTY.

JAMES BARTON, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT
Burglary,	1	Committed for trial—broke jail.
Assault with intent to commit rape,	1	Complainant did not appear, prisoner discharged.
Petit larceny,	1	Fined $20 and costs.
Assault and battery,	6	2 imprisoned 20 days; 1 fined $3 and costs; 1 fined $8 and costs; 2 fined $10 each and costs.
Violation of liquor law,	6	4 fined $10 each and costs; 2 acquitted.
Sureties of the peace,	3	Recognized to keep the peace for 6 months.
Perjury,	1	Fined $5.

OAKLAND COUNTY.

M. E. CROFOOT, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	20	8 discharged; 1 noi. pros.; 1 fined $25; 4 fined $10 each; 2 fined $15 each; 1 fined $7; 3 fined $5 each.
False pretenses,	5	2 held to bail; 1 discharged; 1 fined $50; 1 convicted and case taken to Supreme Court.
Grand larceny,	10	5 held to bail; 1 noi. pros.; 1 discharged; 1 sentenced to State Prison 2 years; 2 fined $250 each.
Petit larceny,	7	2 fined $15 each; 2 nol. pros.; 3 discharged.
Adultery,	1	Discharged.
Embezzlement,	2	1 held to bail; 1 pending.
Perjury,	6	4 discharged; 2 held to bail.
Assault with intent to murder,	10	6 held to bail; 1 sentenced to State Prison 2 years; 1 for 4 years; 1 fined $50; 1 pending.
Burglary,	4	2 held to bail; 1 sentenced to State Prison for 15 years, and 1 for 10 years.
Breach of peace,	4	Held to bail.
Riot,	12	Held to bail and settled.
Kidnapping,	1	Held to bail.
Bastardy,	1	Held to bail.
Forgery,	1	Held to bail and still pending.
Malicious injury,	1	Held to bail.
Public nuisance,	1	Held to bail and still pending

ONTONAGON COUNTY.

R. ALAN, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Mayhem,	1	Jury stood 10 to 2 for acquittal—nol. pros.
Violation of election laws,	4	All nolle prosequi.
Obtaining goods on false pretenses,	1	Nolle prosequi.
Assault with intent to kill,	2	Bail bond forfeited in one case; in the other prisoner convicted of assault and fined $200.
Burglary,	1	State Prison for 2 years.
Larceny,	1	County jail 6 months.

OTTAWA COUNTY.

R. W. DUNCAN, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Malicious injury to dwelling house,	7	6 discharged on examination; 1 pending.
Malicious injury to personal property,	9	All discharged on examination.
Maliciously casting off a boom pole,	1	Acquitted on trial.
Forfeiture,	2	1 judgment for $25 and costs; 1 judgment for $10 and costs.
False pretenses,	2	1 discharged on examination; 1 pending.
Seduction,	1	Information quashed.
Murder,	2	1 discharged on examination; 1 acquitted on trial.
Lewd and lascivious cohabitation,	2	Nolle prosequi.
Maliciously killing a beast,	1	Nolle prosequi.
Receiving and concealing stolen property,	2	Dicsharged on examination.
Burglary,	1	State Prison 5 years.
Forgery,	1	Nolle prosequi.
Assault with intent to murder,	4	All discharged on examination.
Assault with intent to commit a rape,	2	Both discharged on examination.
Grand larceny,	8	2 discharged on examination; 1 sentenced to county jail 30 days; 1 sentenced county jail 90 days; 3 recognizances forfeited and estreated; 1 pending.
Petit larceny,	6	1 fined $50 and costs; 2 $10 and costs; 2 $3 and costs; 1 acquitted on trial.
Assault and battery,	20	1 fined $15 and costs; 2 $5 and costs; 14 acquitted on trial; 1 nol. pros.; 1 discharged by justice on payment of costs, and acknowledgment of satisfaction by injured party; 1 pending.

SAGINAW COUNTY.

C. H. GAGE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	9	5 pending; 1 nol. pros.; 1 acquitted; 1 nol. pros. on payment of costs; 1 recognizance forfeited.
Arceny,	10	1 dismissed; 3 one year in State Prison; 1 fined $100; 2 two years in State Prison; 1 Reform School till 21; 1 five years in State Prison· 1 pending.
Attempt to bribe,	1	Pending.
Obtaining property under false pretenses,	2	1 acquitted; 1 pending.
Rape,	2	1 State Prison for life; 1 ponding.
Perjury,	2	Pending.
Assault with intent to kill,	1	Pending.
Resisting officer,	3	2 Dismissed; 1 not guilty.
Bastardy,	1	Guilty—pay $100 per year in monthly payments
Assuming to be an officer,	1	Guilty—fined $25.
Champerty,	1	Not guilty.
Not keeping Sabbath,	2	Pending.

SANILAC COUNTY.

JOHN DIVINE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	10	8 convicted, and of these 8 were fined $5 each; 1 fined $15; 1 fined $10; 2 fined $30; 1 settled and 1 sentenced to county jail for 20 days.
Arson,	1	Convicted and sentenced to State Prison for life
Assault with intent to murder,	1	Nol. pros. entered.
Larceny,	11	8 convicted—3 fined $25 each; 2 fined $30; 1 fined $50; 1 fined 5 dollars; 2 sent to State Prison—1 for 1 year and 1 for 18 months; 2 pending.
Malicious injury to property,	1	Pending.
Seduction,	1	Pending.

SHIAWASSEE COUNTY.

JAMES M. GOODEL, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	45	6 fined 5 dollars each; 1 8 dollars; 1 2 dollars and costs of suit; 5 10 dollars each; 1 15 dollars; 2 20 dollars each; 3 25 dollars each; 2 50 dollars each; 9 discharged; 6 acquitted; 7 settled and 2 escaped.
Assault with intent to kill,	2	1 discharged on habeas corpus; 1 pending.
Assault with intent to rob,	3	Discharged.
Burglary,	4	3 discharged; 1 nolle prosequi entered.
Complaint for sureties to keep the peace,	2	1 discontinued; 1 gave recognizance for one year 200 dollars.
Complaint for barstardy,	1	Discharged.
False pretenses,	1	Convicted—sentence suspended.
Indecent exposure of person,	1	Discontinued.
Libel,	1	Discharged on habeas corpus.
Larceny,	14	5 discharged; 3 discontinued; 2 escaped; 2 convicted—sentence suspended; 2 pending.
Malicious injury to personal property,	3	2 discharged; 1 noi. pros. entered.
Malicious injury to dwelling house,	2	Pending.
Murder,	2	1 discharged; 1 pending.
Nuisance.	2	1 discharged; 1 discontinued.
Obstructing highway,	4	1 fined 5 dollars; 1 fined 20 dollars; 2 acquitted.
Perjury,	2	Nolle prosequi entered in both cases.
Rape,	1	Discharged.
Resisting officer,	4	3 pending; 1 discharged.
Robbery,	5	2 discharged, 3 escaped.
Seduction,	1	Nolle prosequi entered.
Selling liquor in violation of the statute.	4	1 fined 20 dollars and costs of suit; 2 discharged; 1 abated by resignation of justice

ST. CLAIR COUNTY.

O'BRIEN J. ATKINSON, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Adultery,	2	1 discharged on trial; 1 pending.
Assault and battery,	50	32 convicted and fined; 10 discharged; 8 pending.
Burglary,	5	3 convicted; 1 pending; 1 escaped.
Assault with intent to kill,	1	Discharged on examination.
Assault with intent to rape.	1	Discharged on habeas corpus.
Conspiracy to defraud,	3	Pending.
Embezzlement,	1	Bail forfeited.
Forgery,	1	Defendant discharged without examination.
Keeping house of prostitution,	1	Pending.
Larceny,	28	18 convicted; 4 discharged; 2 escaped; 2 pending; 2 forfeited bail.
Malicious injury,	4	2 pending; 2 escaped.
Malicious trespass,	3	Convicted and fined.
Obtaining goods under false pretenses,	2	1 bail forfeited; 1 nol. pros.
Obstructing railway,	1	Pending.
Polygamy,	1	Pending.
Passing counterfeit bills, etc.,	4	3 turned over to U. S. Marshal; 1 bail forfeited.
Perjury,	6	1 discharged; 2 broke jail; 3 pending.
Robbery,	8	2 discharged; 1 nol. pros.; 3 pending; 2 broke jail.
Resisting an officer	5	4 discharged; 1 pending.
Suffering escape.	1	Pending.

ST. JOSEPH COUNTY.

GERMAIN H. MASON, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	8	1 jury disagreed; 1 fined 8 dollars; 1 fined 17 dollars; 1 fined 20 dollars and costs; 1 fined 50 dollars; 1 fined 25 dollars; 2 fined 5 dollars each.
Assault with intent to murder,	3	Pending.
Assault with intent to rape,	2	1 sentenced to State Prison 3 years; 1 convicted of simple assault and battery, and fined $100.
Burglary,	1	Reform School at Lansing.
Compounding felony,	2	Discharged.
Enticing female from father for purpose of prostitution,	1	Sentenced to State Prison 2 years.
False pretenses,	1	Nolle prosequi.
Forgery,	1	Sentenced to State Prison 3 years.
Indecent exposure of person,	1	Fined 75 dollars.
Grand larceny,	9	2 sentenced to State Prison 2 years each; 2 do. 1 year; 1 broke jail; 1 fined 26 dollars; 1 sentence suspended; one county jail 60 days; one acquitted.
Simple larceny,	6	1 to county jail 30 days; 1 fined 10 dollars and 30 days in jail; 1 fined 10 dollars; 1 forfeited recognizance, and 2 to Reform School.
Manslaughter,	1	Sentenced to State Prison 3 years.
Malicious injury to building,	1	Pending.
Malicious injury to personal property.	1	House of Correction 60 days.
Seduction and debauchery,	1	Sentenced to State Prison 3 years.
Stoning railroad cars,	1	Pending.
Violation probibitory liquor law,	8	1 sentenced to county jail 3 months and $100 fine; 4 fined 10 dollars each and costs; 1 fined 20 dollars and costs; 1 pending and 1 discontinued.

TUSCOLA COUNTY.

M. D. SEELEY, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Assault and battery,	8	2 pleaded guilty and fined—1 5 dollars and costs, 1 3 dollars and costs; 2 convicted and fined 10 and costs each; 1 fined 3 dollars and costs; 1 fined 1 dollar and costs; 1 fined 8 dollars and costs; 1 acquitted.
Grand larceny,	2	Both pending—1 tried and jury failed to agree, 1 pending on information.
Obstructing stream,	3	2 tried and convicted—fined 20 dollars each—settled after appeal and nolle prosequi entered; 1 acquitted on trial.
Incest,	1	Discharged on examination.
Lewd and lascivious behavior,	1	Discharged on examination.
Assault with intent to commit rape,	1	Discharged on examination.
Obtaining goods under false pretenses,	1	Examination had, and held for trial.

VAN BUREN COUNTY.

HIRAM COLE, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Abandonment of child,	1	Convicted and sentenced 10 years imprisonment.
Assault and battery,	22	Conviction in 16 cases and fined as follows: 5 fined 5 dollars each and costs; 4 fined 10 dollars each and costs; 1 fined 4 dollars and costs; 1 fined 15 dollars and costs; 1 fined 7 dollars and costs; 1 fined 2 dollars and costs; 1 fined 3 dollars and costs; 1 fined 1 dollar and costs; 1 fined 20 dollars and costs; 4 settled by the parties; 2 discharged at the close of their trial.
Simple larceny,	8	All convicted and fined as follows: 6 fined 5 dollars each and costs; 1 fined 30 dollars and costs; 1 fined 20 dollars and costs.
Bastardy,	1	Discharged on examination.
Grand larceny,	6	2 sent to State Prison 4 years and 6 months each; 3 fined $27.90 each; 1 discharged before trial.
Adultery,	3	1 convicted and sentenced to county jail 6 months; 1 discharged on examination; 1 trial now pending.
Violation of liquor law,	5	All convicted and fined as follows: 2 20 dollars each and costs; 3 10 dollars each and costs.
False pretenses,	1	Discharged.

WAYNE COUNTY.

JARED PATCHIN, *Pros. Att'y.*

CHARGED WITH.	No.	THE RESULT AND THE PUNISHMENT.
Murder,	4	2 State Prison for life; 2 acqitted.
Manslaughter,	2	1 State Prison; 1 acquitted.
Assault with intent to kill.	38	28 State Prison and House of Correction; 10 acquitted.
Grand larceny,	79	59 State Prison and House of Correction; 20 acquitted.
Compound larceny,	47	31 State Prison, Reform School and House of Correction; 16 acquitted.
Simple grand larceny,	24	19 State Prison, Reform School and House of Correction; 5 acquitted.
Burglary and larceny,	57	48 State Prison; 9 acquitted.
Perjury,	2	1 State Prison; 1 acquitted.
Adultery,	1	State Prison.
Embezzlement,	17	9 State Prison; 8 acquitted.
Robbery,	45	33 State Prison and Reform School; 12 acquitted.
Conspiracy,	1	State Prison.
Keeping house of ill-fame,	11	7 State Prison and House of Correction; 3 acquitted; 1 not tried.
Receiving stolen property,	15	11 State Prison and House of Correction; 4 acquitted.
Larceny from person,	30	20 State Prison, House of Correction and Reform School; 10 acquitted.
Larceny from dwelling house,	8	7 State Prison, House of Correction and Reform School; 1 acquitted.
Obtaining goods under false pretenses,	8	5 State Prison; 3 acquitted.
Forgery,	6	4 State Prison; 2 acquitted.
Carrying liquor into jail,	1	State Prison.
Lascivious cohabitation,	4	3 State Prison and House of Correction; 1 acquitted.
False impersonation,	2	1 State Prison; 1 acquitted.
Threats to extort money,	1	State Prison.